

Docket No. 264832US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Syoichi ICHIHASHI

SERIAL NO: 10/521,794

GAU:

FILED: January 21, 2005

EXAMINER:

FOR: METHOD OF CONSTRUCTING ORCHID HAPLOID BY TREATING UNFERTILIZED ORCHID FLOWER
WITH AUXIN AND METHOD OF GROWING ORCHID

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.

A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.

A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

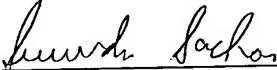
Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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22850

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Registration No. 34,423

U.S. PCT Application Serial No.: 10/521,794
Docket No.: 264832US0PCT

STATEMENT OF RELEVANCY

- 1) References _____ have been cited in the International Search Report. Copies of these references are being submitted herewith only when not automatically provided by the International Searching Authority.
- 2) References _____ have been cited in the corresponding _____ Search Report. A copy of these references is being submitted herewith.
- 3) References AU-AZ are discussed in the specification. A copy of these references is being submitted here with.
- 4) References _____ are additional prior art known to Applicant. A copy of these references is being submitted herewith.

AU Hitoshi Kobayashi, 1987, "New Plant Breeding Technology", Yokendo, pp. 110-112.

It is disclosed that an anther culture method and an interspecies crossing method are established, the method of constructing haploid using the anther culture method is available for breeding tobacco, rice and wheat, and the method of constructing haploid using the interspecies crossing method is available for breeding potatoes, barley.

AV Shin Kuraishi, 1988, "Plant Hormone", Second Version, Tokyo University Shuppankai, pp. 45-46.
It is disclosed that when plants are treated with auxin, even if not fertilized, fruits will occur parthenogenesis which take places hypertrophy growth, and will continue to grow.

AW Itsuhiko Ito, Koji Karasawa, 1969, "Calanthe and its Group", Seibundo-sinkosha, pp. 206-207.
Following is disclosed. When pollens of calanthes and cymbidiums are mated to Bletilla striata which is one variety of orchid, many seeds will be obtained easily. However, when these seeds are planted, judging from its germination and a feature of its seedling, the possibility of parthenogenesis is very high. This would be due to ploidy parthenogenesis of egg cell from which the ovary developed by stimulus of pollens hormone or forming seeds by apogamy in which embryo originates from nutritional tissues of mother's bodies, such as placenta.

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STATEMENT OF RELEVANCY

AX Genjiro Mori, Koichi Yamaoka, Hideo Imanishi, 1989, "Studies on the Possibility of Including Apomixis in Some Orchids", The magazine of horticulture society, second additional version of volume 58.

It is disclosed that parthenogenesis has been induced by giving naphthaleneacetic acid which is one kind of auxin to stigma of *Zygopetalum* which is one variety of orchid.

AY Genjiro Mori, Koichi Yamaoka, Hideo Imanishi, 1991, "Seed formation of *Zygopetalum Mackayi* by Apomixis", The magazine of horticulture society, second additional version of volume 60, pp. 466-467.

It is disclosed that parthenogenesis has been induced by giving naphthaleneacetic acid which is one kind of auxin to stigma of *Zygopetalum* which is one variety of orchid.

AZ Kazuhito Uchida, 1982, "Tropical Orchid The Orchid", Kodansha, 99.
General form of orchid flowers is disclosed.

| Form PTO 1449 (Modified) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTY DOCKET NO. 264832US0PCT | | SERIAL NO. 10/521,794 | |
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| LIST OF REFERENCES CITED BY APPLICANT | | APPLICANT | | Syoichi ICHIHASHI | | | |
| | | FILING DATE | | January 21, 2005 | | | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
| | AA | | | | | | |
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| OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.) | | | | | | | |
| | AU | KOBAYASHI, Hitoshi. "New Plant Breeding Technology", Yokendo, pages 110-112 1987 | | | | | |
| | AV | KURAISHI, Shin. "Plant Hormone", second version, Tokyo University Shuppankai, pages 45-46 1998 | | | | | |
| | AW | ITO, Itsuhiko et al. "Calanthe and its Group", Seibundo-Sinkosha, pages 206-207 1969 | | | | | |
| | AX | MORI, Genjiro et al. "Studies on the Possibility of Including Apomixis in Some Orchids", The magazine of horticulture society, second additional version of volume 58 1989 | | | | | |
| | AY | MORI, Genjiro et al. "Seed formation of Zygopetalum Mackayi by Apomixis", The magazine of horticulture society, second additional version of volume 60, pages 466-467 1991 | | | | | |
| | AZ | UCHIDA, Kazuhito. "Tropical Orchid the Orchid", Kodansha, 99 1982 | | <input type="checkbox"/> Additional References sheet(s) attached | | | |
| Examiner | | | | Date Considered | | | |
| *Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |